

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFIC SAADEH,

Plaintiff,

-v-

MICHAEL KAGAN, et al.,

Defendants.

20 Civ. 1945 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from *pro se* defendant Michael Kagan noting that he reserves the right to call plaintiff Rafic Saadeh as a witness at the upcoming jury trial in this case. Saadeh is thus on notice that his presence in person will be required for the trial scheduled to begin on November 13, 2023.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 6, 2023
New York, New York

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November 6, 2023

VIA E-FILING

Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States District Court
40 Foley Square, Room 2201
New York, New York 10007

Re: Saadeh v. Kagan et al., No. 20-cv-1945 (PAE)
Reserving the right call Plaintiff as a witness

Dear Judge Engelmayer:

I am the pro se Defendant in this case. I am writing to inform the Court that I am reserving the right to call the plaintiff, Rafic Saadeh, as a witness at the upcoming trial.

I am left with no choice as my several attempts to settle this action have been rebuffed or have not even been responded to. Indeed, plaintiff's counsel has simply ignored Ms. Keane's (my NYLAG settlement counsel) settlement offer on Monday morning, October 30th, even while he had been engaged in settlement discussions with Joshua Kagan (the other defendant in this action).

It is particularly unfortunate as the remaining cause of action against me, if the plaintiff were to prevail, is about adding legal fees to the sum I have already been adjudged responsible for paying. A sum I have no ability to pay—a fact the plaintiff has been well aware for more than two years.

While I do not understand why the plaintiff is expending all this effort and taking the Court's time to continue pursuing this, I will responsibly defend myself and that includes examining Mr. Saadeh at trial should it prove appropriate.

Respectfully,



PRO SE